

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)	
)	
Plaintiff,)	ORDER
)	
vs.)	
)	
James Scott Aliff,)	
)	Case No. 1:24-cr-188
Defendant.)	

Defendant was arrested by agents with Homeland Security Investigations on November 6, 2024. (Doc. No. 4). Upon his arrest, Defendant advised the HSI Agents that he has a history of heart issues and was having chest pains and difficulty breathing. The HSI Agents proceeded to transport Defendant to the Ward County Detention Center and, when it declined to accept Defendant absent medical clearance, to the nearest hospital in Minot. At the hospital, the HSI Agents were advised by staff that Defendant was experiencing a medical emergency, would need to undergo additional testing, and could potentially be admitted for an extended hospital stay.

Because Defendant is in HSI custody, an agent needs to stand guard over Defendant until he is released from the hospital and he can be transported. On November 6, 2024, the United States filed a Motion for Release from Arrest and for Issuance of Summons. (Doc. No. 5). It requests that the court release Defendant from HSI custody as HSI lacks the resources to maintain a presence at the hospital until Defendant is discharged. It further requests that the court issue a summons directing Defendant to appear at a future date and time for his initial appearance and arraignment. Finally, it advises that Defendant remains under a Pretrial release order on a \$100,000 surety bond

in his pending state case.

Given that it is unclear how long Defendant will remain hospitalized in Minot due to his medical emergency, and given HSI's lack of resources, the court shall **GRANT** the United States' motion and release Defendant from HSI custody. The court shall schedule an initial appearance and arraignment for Defendant on November 15, 2024, at 10:00 AM in Bismarck (courtroom 2). A summons shall issue. HSI shall serve Defendant with a copy of the summons.

IT IS SO ORDERED.

Dated this 6th day of November, 2024.

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court